<center>REMARKS</center>

This response is to the Office Action dated December 19, 2006, in which claims 1-18 were rejected. Applicants respectfully request reconsideration and allowance of all pending claims in view of the above-amendments and the following remarks.

I.   CLAIM REJECTIONS UNDER §102(a,e)

Claims 1-5, 8-18 were rejected under §102(a,e) as being anticipated by Shannon, U.S. Patent No. 6,088,678.

A.   **Shannon**

Shannon describes software for simulating a process (such as an industrial process), based on the following procedure. The user of the software provides inputs, which identify the sub-steps of the project. The information that the user enters is arranged into a "benefit-trade matrix", with each sub-step being identified by an individual matrix.

The matrix comprises inputted and historical data. The data in each matrix is then processed using logical rules to determine some metrics relating to the respective sub-step. These metrics may include time, cost and risk for the sub-step. The user may then modify any of the sub-steps or variables, based on the output metrics. This software thereby allows risk to be quantified.

In contrast, the present application, as defined by claims 1 and 9, for example, specifically relates to risk management, which is concerned with how to react to risk. To achieve this, the Risk Management (e.g., software or apparatus) firstly specifies analyzing project data to identify a plurality of activities, to at least some of which is assigned at least risk indicator that identifies a consequence of a risk on the activity. For example, the risk indicator may identify how much the cost or time duration of the activity may change if the risk occurs, by means of a respective allowance. The Risk management also outputs a modified project data on the basis of one or more mitigating tasks, that are identified to reduce or prevent the risk or the consequences of a risk, based on said assigned risk indicators.

B.   **Novelty**

The present claims are therefore novel over Shannon for at least the following

reasons. Firstly, Shannon does not disclose analysing project data to identify a plurality of activities. The Examiner has associated the "benefit-trade matrix" that Shannon defines for each sub-step with an action identifier as claimed by the present application. However, Shannon does not disclose any analysis of the "benefit-trade matrix" which identifies activities. Rather, Shannon's analysis of the matrix identifies metrics (e.g. time, risk or cost).

Secondly, there is no suggestion in Shannon that risk indicators are assigned to activities that identify the consequences of a risk on the activity. More precisely, Shannon firstly ascertains specific metrics designating costs, schedules and risks for each sub-step. As detailed in column 5 lines 16 to 19, to each of these metrics is associated a numerical value which identifies the importance of the item and its rating. The meaning of these numerical values is not at all clear from the description of Shannon. Nevertheless, it appears that these are used, together with historical data and logical equations, to determine a cost, time and risk quantity for each sub-step.

Hence, whilst these numerical values may be part of a calculation which quantifies cost, time or risk, they do not individually identify the consequences of the respective risk on the sub-step. As a result, they cannot correspond with risk indicators as defined by the claims of the present application.

Thirdly, Shannon does not give any indication that action identifiers may be added and/or modified on the basis of one or more mitigating tasks. The Examiner has suggested that Shannon describes that the user can alter the sub-steps and their associated variables on the basis of the quantities outputted by the software. However, these quantities are simply numbers and do not identify, or lead the user to identify, one or more mitigating tasks.

Indeed, the present claims define a mitigating task as being identified to reduce or prevent the risk or the consequences of the risk, i.e. the specific risk to which a risk indicator is associated. Since Shannon does not identify the consequences of each risk on an activity, by means of a risk indicator, Shannon cannot identify mitigating tasks. Rather, Shannon describes that the user can implement any changes to sub-steps for risk management as they wish, perhaps based on the relative importance of different risks, but does not specify the analytical means by which this risk management is accomplished.

II.   <u>CLAIM REJECTIONS UNDER §103(a)</u>

Claims 6-7 were rejected under §103(a) as being unpatentable over the Shannon reference.

A.   **Obviousness**

On the above-basis, the skilled person would not derive the present invention from Shannon in an obvious way. Shannon describes software for calculating a risk quantity, based on specific information that a user provides regarding the sub-steps of a project. Starting from Shannon, the skilled person would learn nothing about the problem of the present invention, which relates to the analytical tools for managing risk. The Risk Management software/apparatus described by one or more claims of the present application analyses action identifiers to identify firstly, activities and secondly, associated risk indicators. These activities and risk indicators connect specific actions to specific risks, not just by indicating what risks are caused by an action but specifically by indicating what the consequences of a risk may be to an action. In so doing, the Risk Management software/apparatus identifies how the properties of an action may change, as a result of a risk. None of the cited prior art documents suggest defining activities or risk indicators, as defined by the claims of the present application, and these would certainly not be obvious to the skilled person.

Moreover, one or more claims of the present application define adding or amending the actions on the basis of one or more identified mitigating tasks. This connects a risk indicator back to one or more actions, such that the actions can be changed on the basis of risk indicator. This feature would again not be obvious to the skilled person.

These features in combination advantageously provide a facility for managing risk. Defining the connections between a risk and its consequences on an action using risk indicators, is the means that allows actions to be added and/or modified to reduce specific risks. Since Shannon does not provide any link between specific risks and consequences to an action, the skilled person, starting from Shannon, would therefore not obviously be able to determine how to manage risk and arrive at the methods or apparatus recited in the claims of the present application.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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